

Consumer Power Advocates

Columbia University Medical Center
Fordham University
Memorial Sloan Kettering Cancer Center
The College of New Rochelle

Mount Sinai Health System
New York Presbyterian Hospital
New York University
NYU Langone Medical Center

November 4, 2016

Honorable Kathleen H. Burgess
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

RE: Cases 16-E-0060 & 16-G-0061 - Con Edison Electric and Gas Rates

Dear Secretary Burgess:

Consumer Power Advocates (CPA) participated in the Outcome-based EAM Collaborative in the above captioned cases. Please accept this letter as our comments on the consensus report filed by some of the collaborative participants on November 1, 2016.

The consensus report includes NYISO Special Case Resources (SCR) among the metrics for the Distributed Energy Resource (DER) EAM. SCR is a wholesale market program, and as such is under FERC jurisdiction and administered by NYISO. Con Edison (the Company) is not responsible for the registration of participants, or for requiring a demand response event. CPA objects to providing additional earnings to Con Edison for the success of a program which is entirely beyond its control.

The metric for Solar PV energy generated is based on the statewide average annual capacity factor without any opportunity for reconciliation to actual values. Because of the specific conditions of existing buildings may not allow optimal placement of solar panels, and due to other environmental factors, we believe that it is very likely that this overstates the actual energy available from solar PV. The report should have included a method to use actual data to develop solar PV capacity factors.

Moreover, there appears to be substantial overlap between the Energy Intensity EAM and the DER Utilization EAM. DERs that include demand response or beneficial electrification necessarily reduce energy intensity as well. Such redundancy provides duplicate benefits for Con Edison without assuring equal benefit for ratepayers.

Finally, and perhaps most importantly, the minimum achievement required to qualify for earnings adjustment is set to low. We do not believe it was the intent of the signatory parties to the Joint Proposal to allow substantial payments based on actual results that the Company is all but certain to achieve.

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For all of the above reasons, CPA cannot support the consensus report on Outcome-based EAMs.

Respectfully submitted,

Catherine Luthin

Executive Director